



**U S Army Corps
of Engineers
Huntington District**

Public Notice

In reply refer to Public Notice No.

2007-1173

Issue Date: APR 25 2008

Stream: Ohio River mile 159.7-160.8

on the left descending bank

Closing Date: MAY 26 2008

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-FS Public Notice No. 2007-1174

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5710

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the watercourse, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States (U.S.), including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army (DA) Permit under the provisions of Section 10 of the Rivers and Harbors Act 1899.

APPLICANT: Allegheny Energy Supply Company, LLC
800 Cabin Hill Drive
Greensburg, Pennsylvania 15601

LOCATION: The proposed project would be located on the left descending bank (LDB) of the Ohio River, latitude 39° 22' 22" and longitude -81° 17' 30", approximately 159.7 - 160.8 miles downstream of Pittsburgh, Pennsylvania, approximately one mile northeast of Willow Island, 1.4 miles southeast of New Martinsville, in Pleasants County, West Virginia, in the area indicated on Drawing 1.

PROJECT HISTORY: The applicant was authorized under DA Permit #199700662 and #199900281 to construct and operate mooring facilities for the Pleasants and Willow Island power stations near river mile 160.5 LDB and to perform maintenance dredging on an as-needed basis for a period of ten years from each permit issue date. Because the projects were not authorized concurrently, authorization to perform maintenance dredging at each facility did not expire simultaneously.

Therefore, the applicant is requesting authorization to perform maintenance dredging on an as-need basis at both mooring facilities within the project site.

In addition, the applicant proposes to remove material near a common intake structure used by the Pleasants and Willow Island power stations near river mile 160.5 on an as-needed basis.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to perform annual maintenance dredging on an as-needed basis for a period of ten years to improve barge ingress/egress adjacent to the mooring areas using a clamshell bucket mounted on a derrick boat and to remove material adjacent to the intake structure using a pump. The areas proposed for dredging are indicated on Drawing 2. Typical section views of mooring structures and proposed dredging elevations are provided in Drawings 3 and 4.

In 2006 the applicant removed approximately 8,000 cubic yards of material from a portion of the mooring area and was authorized in 2005 to remove approximately 350 cubic yards of material adjacent to the intake structure. The applicant is proposing to remove a maximum of approximately 20,000 cubic yards of material annually from the entire length of mooring and intake structure areas.

The applicant proposes off-site disposal of material dredged from the mooring area in an upland area approved for dredged material disposal by the Corps of Engineers' Pittsburgh District. The disposal site is located near the left descending bank of the Monongahela River, at river mile 38.9, approximately one mile west of the Town of Donora, in Washington County, Pennsylvania (latitude 40° 10' 08" and longitude -79° 52' 59") as depicted in Drawing 5. The applicant proposes on-site disposal of material dredged from the intake structure in a wastewater sump where solids would be removed to be disposed in an upland area at the McElroys Run Disposal Facility as indicated in Drawing 6.

Where the use of marine-based equipment is proposed the applicant would be required to notify this office prior to the commencement of any dredging activity to allow a "Notice to Navigation" to be provided to the appropriate navigation interests.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it was determined there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be sent to the State Historic Preservation Office for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

ENDANGERED/THREATENED SPECIES REVIEW: This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the

public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to:

U.S. Army Corps of Engineers, Huntington District
Attn. CELRH-OR-FS, Public Notice LRH-2007-1173-OHR
502 Eighth Street
Huntington, West Virginia 25701-2070

Please note names and addresses of those who submit comments in response to this public notice may be made publicly available. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Mr. Richard A. Hemann of the South Regulatory Section at 304-399-5710.




Ginger Mullins, Chief
Regulatory Branch

(O,W)

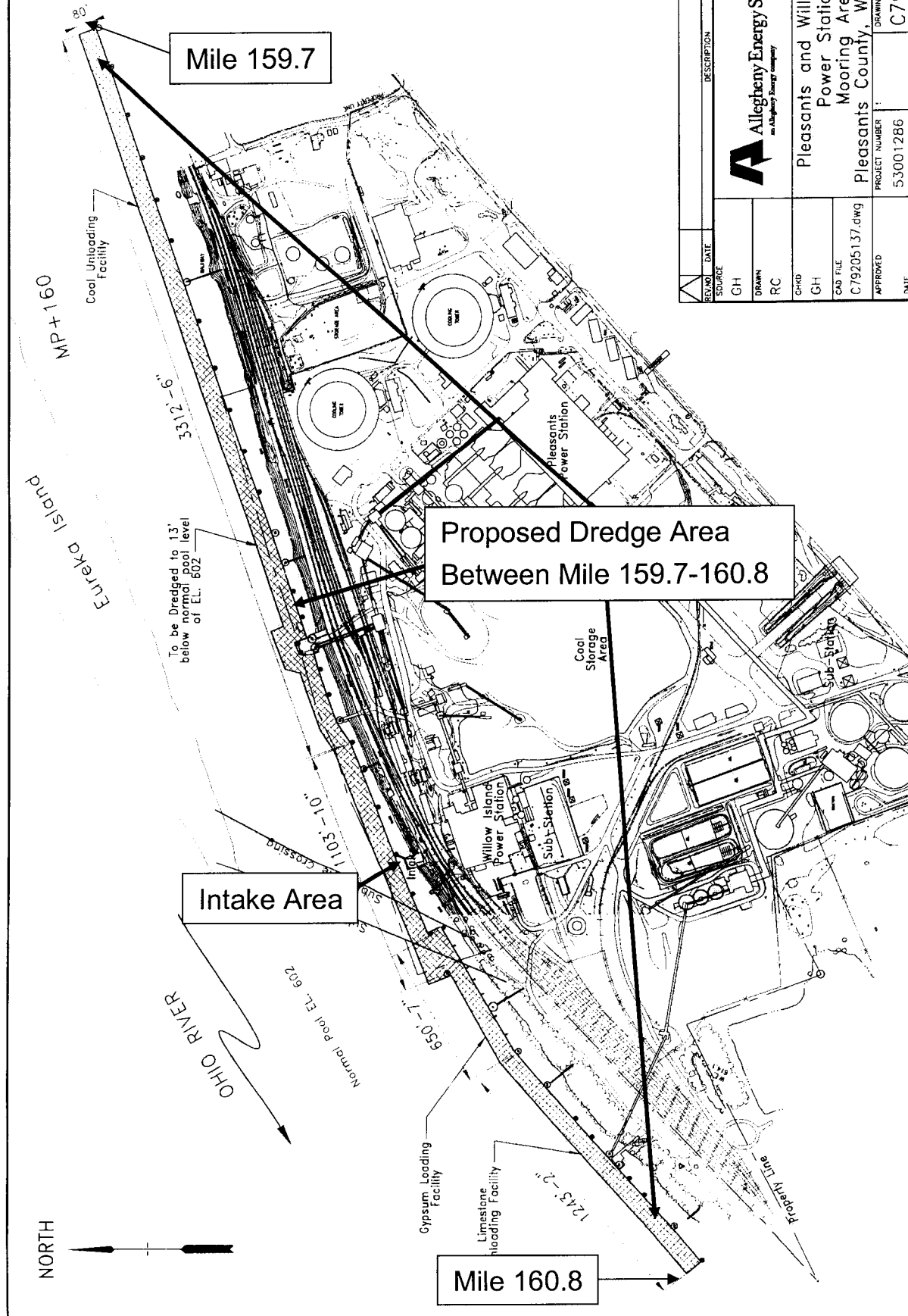
Drawing 1 – Location Map
LRH-2007-1173-OHR

The map is a topographic representation of the Ohio River region. The river flows diagonally from the upper left towards the lower right. To the north of the river is the state of Ohio, and to the south is West Virginia. The map features numerous contour lines indicating elevation, with labels such as 600, 700, 800, and 900. Key locations include Belmont and Eureka in Ohio, and a 'Substation' in West Virginia. The 'Pleasant/Willow Island Power Stations' are highlighted with a circle. Other features include 'Mile X 160', 'Light', 'Trailer Park', 'McIntyre', 'Oil Well', 'Substation', 'Camp', 'Oil', 'Storage Disposal', 'Cow', and 'Substation'. The map also shows 'Flow Island and Dam' and 'McIntyre'.

Scale: 1 : 24,000 Zoom Level: 13-3 Datum: WGS84

 Allegheny Energy Supply Co., LLC <i>an Allegheny Energy company</i>			
SOURCE GH		Pleasants/Willow Island Power Station Site Location Map Pleasants County, WV	
DRAWN RC			
CHKD GH			
CAD FILE C79105136.dwg			
APPROVED DATE	PROJECT NUMBER 53001286	DRAWING NUMBER C79105136	REV 0

Drawing 2 – Location Map LRH-2007-1173-OHR



Allegheny Energy Supply Co. LLC
an Allegheny Energy company

Pleasants and Willow Island
Power Stations
Mooring Areas
Pleasants County, West Virginia

PROJECT NUMBER: 53001286
DRAWING NUMBER: C79205137
DATE: C

11 x 17 SERIES 2 SHEET OF

Existing bank
to remain
undisturbed

Cell

80'

Normal Pool
EL. 602.0'

Maintain Dredge Line
EL. 589.0'

Bedrock
EL. (+)558.0'(±)

**Drawing 3 – Typical Mooring
Cell – Section View
LRH-2007-1173-OHR**

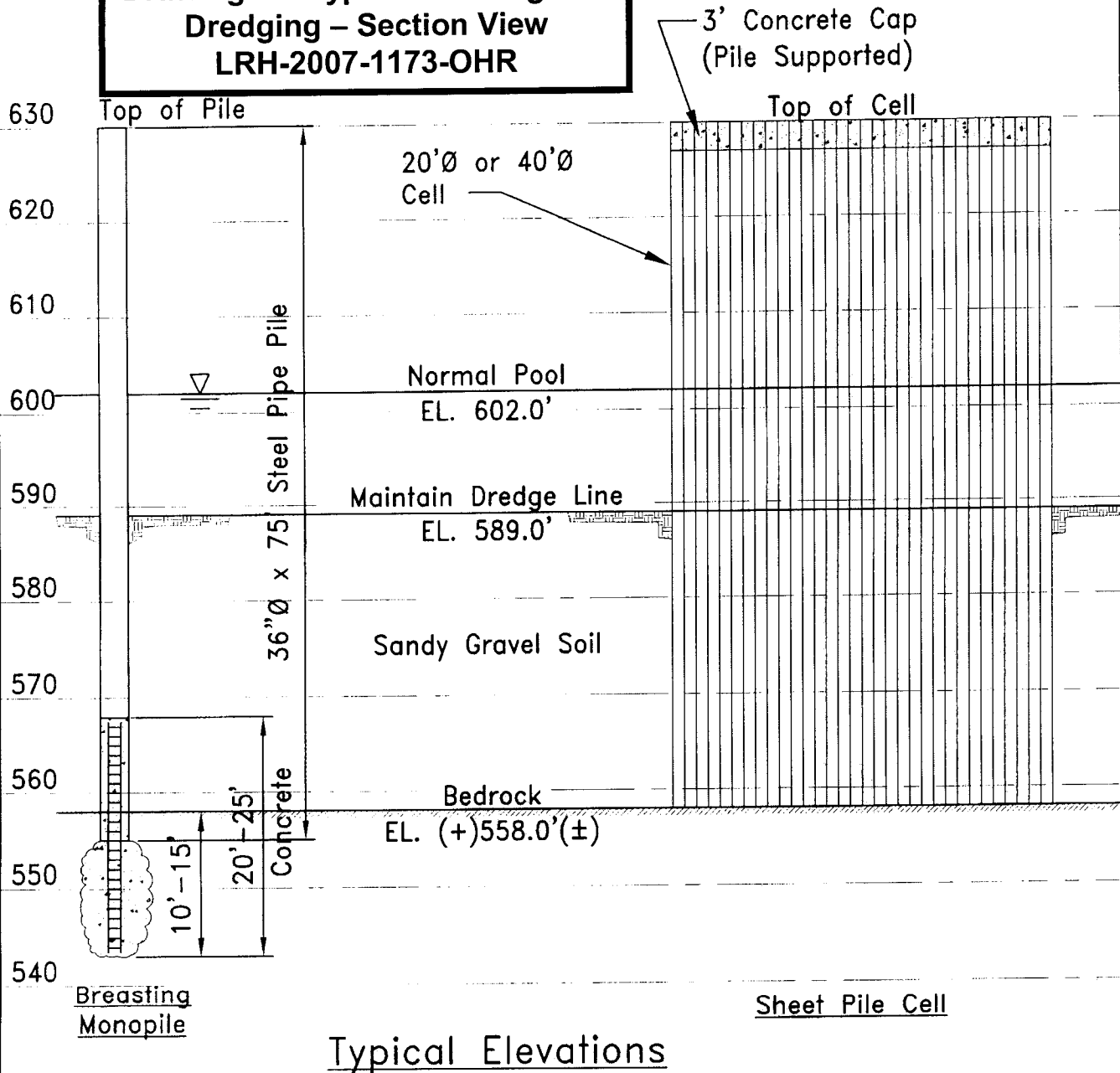
Typical River Cell
Harbor Facilities




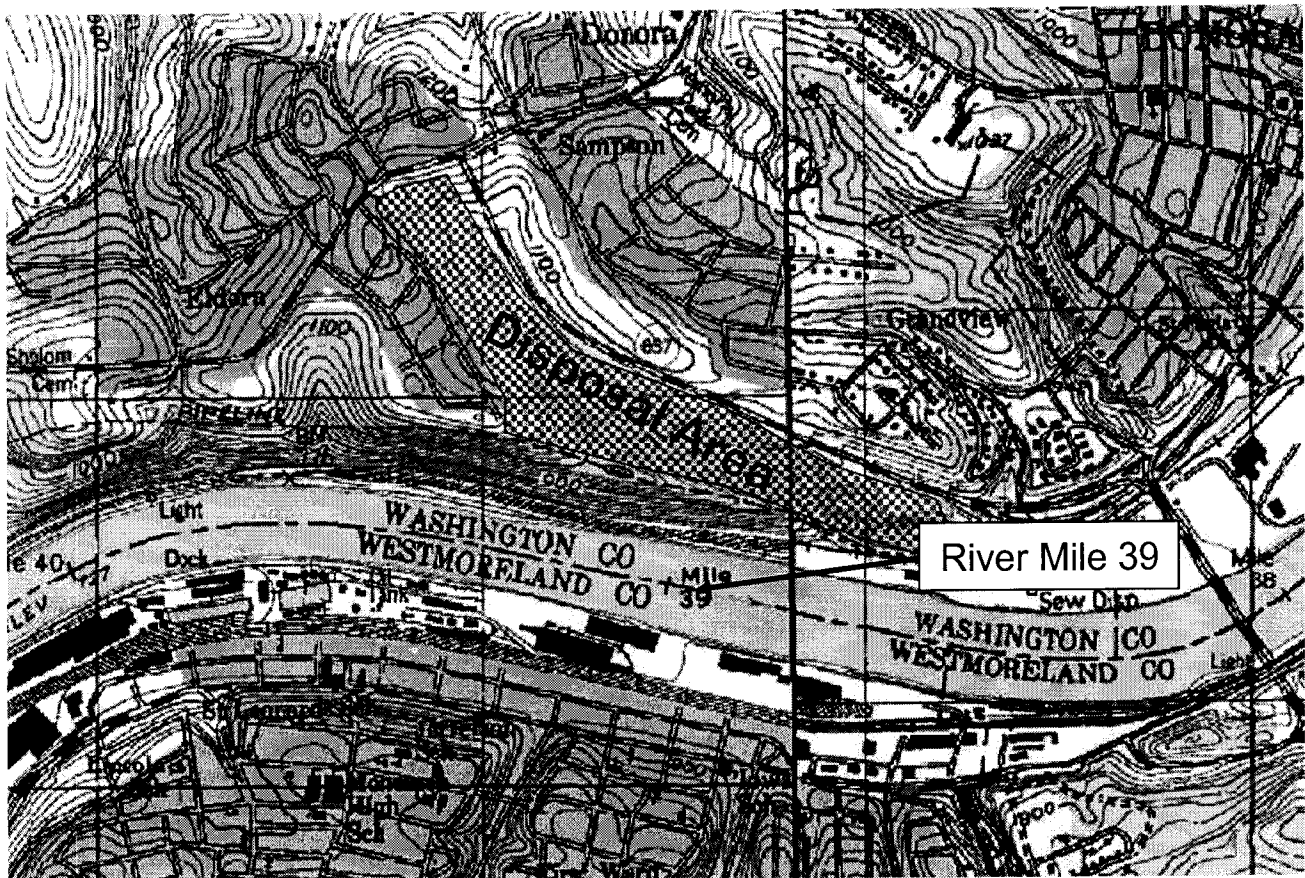
Pleasants and Willow Island
Power Station
Maintenance Dredging
Ohio River 159.8 to 161

REV. NO.	DATE	DESCRIPTION
SOURCE	GH	
DRAWN	RC	
CHKD	GH	
CAD FILE	C79105139.dwg	
APPROVED		
DATE		
PROJECT NUMBER	53001286	
DRAWING NUMBER	C79105139	
REV	0	

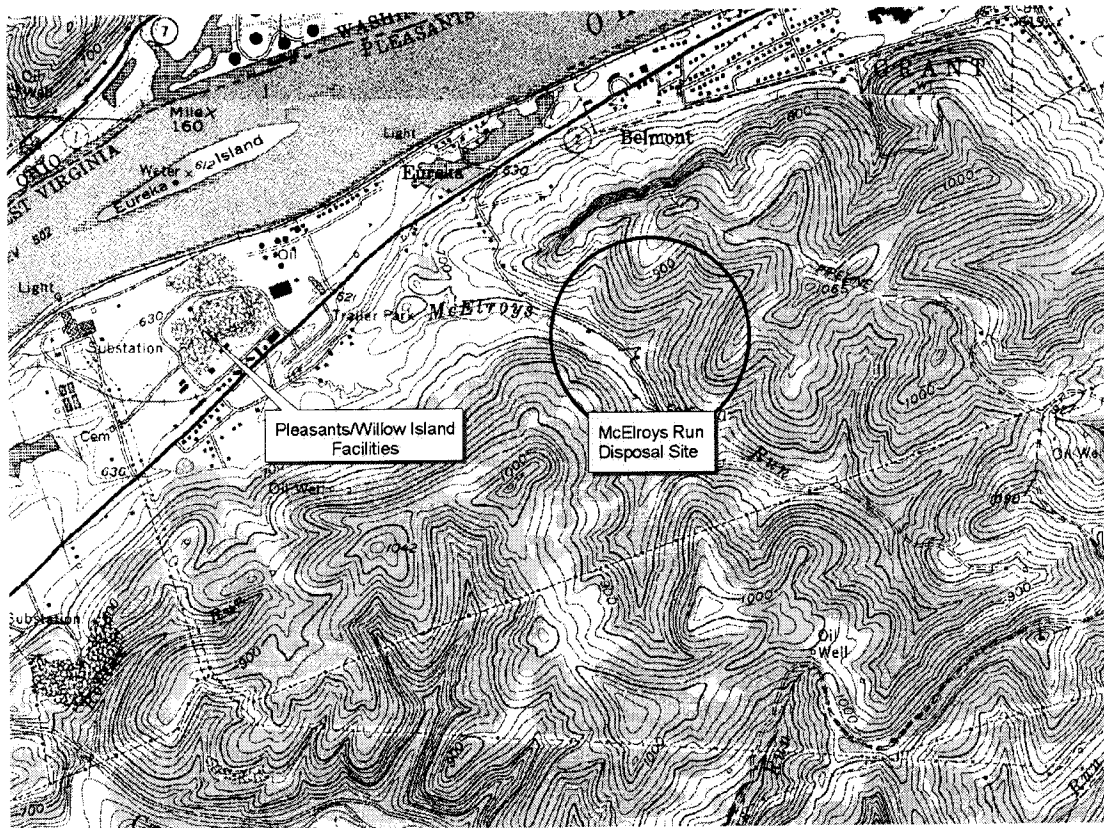
**Drawing 4 – Typical Mooring Cell
Dredging – Section View
LRH-2007-1173-OHR**



SOURCE GH	 Allegheny Energy Supply Co., LLC an Allegheny Energy company	CAD FILE C79105138.dwg	
DRAWN RC		PROJECT NUMBER 53001286	SCALE
CHKD GH	Pleasants and Willow Island Power Station Mooring Typical Elevations Pleasants County, West Virginia	SHEET OF	
APPROVED		DRAWING NUMBER C79105138	REV 0
DATE			



**Drawing 5 – Off-Site
Disposal Area Location Map
LRH-2007-1173-OHR**



**Drawing 6 – McElroy's Run
Disposal Area Location Map
LRH-2007-1173-OHR**